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UNITED STATES DISTRICT COURT, DISTRICT OF NEVADA

Courtney Motley,

Plaintiff,

v.

M. Malta,
C. Miranda,

Defendants.

Case No.: 2:21-cv-02075-GMN-BNW

**STIPULATION AND ORDER TO EXTEND
SUMMARY JUDGMENT BRIEFING SCHEDULE**

(SECOND REQUEST)

Plaintiff Courtney Motley (“Motley”), by and through his attorney of record, John J. Pictum III, Esq., of Holley Driggs, and Defendant Corrections Officer Matthew Malta and Defendant Corrections Officer Carlos Miranda, by and through their attorneys of record, Robert W. Freeman Esq., and E. Matthew Freeman, Esq., of the law firm Lewis Brisbois Bisgaard & Smith, hereby stipulate and agree, subject to the Court’s approval, as follows:

1. On June 14, 2023, Defendants filed their Renewed Motion for Summary Judgment. *See* ECF No. 38.

2. On June 15, 2023, the Court entered a minute order—pursuant to LR16-5—referring this case to a settlement conference with Magistrate Judge Weksler. *See* ECF No. 40.

3. Due to the Court’s referral to a settlement conference, the parties request that the summary judgment briefing schedule be extended as follows:

- a. Motley’s Response to Defendant’s Motion for Summary Judgment shall be due 21 days from the date of the settlement conference with Magistrate Judge Weksler, on September 15, 2023. *See* LR 7-2.

b. Defendants Reply in Support of their Motion for Summary Judgment shall be due 35 days after the date of the settlement conference with Magistrate Judge Weksler, on September 29, 2023. *See id.*

The parties to this action are not making this request for the purpose of unduly delaying the trial in this matter. This is the second stipulation for an extension of time for the Summary Judgment briefing schedule.

DATED this 15th day of June, 2023.

DATED this 15th day of June, 2023.

HOLLEY DRIGGS

LEWIS BRISBOIS BISGAARD & SMITH

/s/John Pictum

/s/Robert Freeman

John J. Pictum III, Esq.
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Robert W. Freeman, Esq.
Nevada Bar No. 3062
E. Matthew Freeman, Esq.
Nevada Bar No. 14198
6385 S. Rainbow Blvd, Suite 600
Las Vegas, Nevada 89118
Attorney for Defendants
Corrections Officer Matthew Malta
Corrections Officer Carlos Miranda

Attorney for Plaintiff

ORDER

IT IS SO ORDERED:

Dated this 20 day of June, 2023.


UNITED STATES DISTRICT COURT JUDGE

Danue High

From: John J. Pictum
Sent: Thursday, June 15, 2023 1:27 PM
To: Danue High
Subject: FW: Stipulation and Order to Extend MSJ Briefing
Attachments: SAO to Extend MSJ Briefing(125688392.1).docx

Please accept the change and get this submitted. I am not sure if these get filed in federal court or just submitted to chambers. If you don't know, can you ask around?

John J. Pictum III

Attorney
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HOLLEY DRIGGS

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From: Freeman, Matt <Matt.Freeman@lewisbrisbois.com>
Sent: Thursday, June 15, 2023 12:18 PM
To: John J. Pictum <jpictum@nevadafirm.com>; Freeman, Robert <Robert.Freeman@lewisbrisbois.com>
Cc: Freeman, Kristen <Kristen.Freeman@lewisbrisbois.com>; Danue High <dhigh@nevadafirm.com>
Subject: RE: Stipulation and Order to Extend MSJ Briefing

Good Afternoon John,

Neither myself nor Rob have any issue with the requested extension. I noticed a small spelling issue, that I fixed with tracked changes. With that changed, feel free to affix my e-signature.

Thanks.



Matt Freeman
Attorney
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From: John J. Pictum <jpictum@nevadafirm.com>

Sent: Thursday, June 15, 2023 9:23 AM

To: Freeman, Robert <Robert.Freeman@lewisbrisbois.com>; Freeman, Matt <Matt.Freeman@lewisbrisbois.com>

Cc: Freeman, Kristen <Kristen.Freeman@lewisbrisbois.com>; Danue High <dhhigh@nevadafirm.com>

Subject: [EXT] Stipulation and Order to Extend MSJ Briefing

Robert and Matt:

Hope all is well. I saw that the Court referred us to a settlement conference with Judge Weksler in a minute order issued this morning. With that, would you be amenable to extending the briefing schedule on the summary judgment motion filed yesterday?

I have attached a draft here, but it would basically be extending the response and reply time to be calculated from the date of the settlement conference instead of yesterday.

If you are agreeable, please let me know and I will affix your electronic signature on this SAO and get it submitted to the Court. Thanks.

Thanks,

John J. Pictum III

Attorney

Las Vegas Office

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